

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

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DISCOVER BANK,

Plaintiff,

v.

AMENAN EMELINE DIBY,

Defendant.

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AMENAN EMELINE DIBY,

Third Party Plaintiff,

v.

PRESSLER & PRESSLER, ET AL.,

Third Party Defendants,

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Honorable Madeline Cox Arleo

Civil Action No. 07-836 (SDW)

**REPORT AND RECOMMENDATION**

**THIS MATTER** having come before the Court upon the motion of plaintiff, Discover Bank, (Mitchell Williamson, Esq. of Pressler & Pressler, LLP, appearing) to remand upon notice to defendant, Amenan Diby (Philip Stern, Esq. of the Philip Stern law firm, appearing), and the Court having considered the papers submitted in support of and in opposition to the motion and having heard the argument of the parties, and for the reasons set forth on the record on June 5, 2007, and for good cause shown;

IT IS on this 5 day of June 2007,

**RECOMMENDED THAT** plaintiff's motion to remand be **GRANTED**.

The parties have ten (10) days from the date hereof to file objections. \*



MADELINE COX ARLEO  
United States Magistrate Judge

cc: Hon. Susan D. Wigenton, U.S.D.J.  
All Parties  
File

\* Plaintiff's application For Attorney's  
Fees is denied.